

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CRAIG MOSS,
Petitioner

v.

**SUPERINTENDENT
DEBALSO, *et al.*,**
Respondents

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No. 1:19-cv-106

(Judge Rambo)

ORDER

AND NOW, on this 18th day of May 2020, for the reasons set forth in the Memorandum accompanying this Order, **IT IS ORDERED THAT:**

1. Respondents' motion to dismiss (Doc. No. 16) is **GRANTED**;
2. Petitioner's petition (Doc. No. 1) and amended petition (Doc. No. 11) for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 are **DISMISSED for lack of jurisdiction** because Petitioner was not in custody for purposes of his York County conviction when he initiated the above-captioned case;
3. Respondents' motion to stay (Doc. No. 17) is **DENIED AS MOOT**;
4. A certificate of appealability **SHALL NOT ISSUE**; and
5. The Clerk of Court is directed to **CLOSE** the above-captioned case.

s/ Sylvia H. Rambo
United States District Judge